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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/673,469

09/30/2003

Yuichiro Mizumachi

NIP-252-02

1995

24956

7590

06/15/2006

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.  
1800 DIAGONAL ROAD  
SUITE 370  
ALEXANDRIA, VA 22314

EXAMINER

JASMIN, LYNDIA C

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/673,469

Applicant(s)

MIZUMACHI ET AL.

Examiner

Lynda Jasmin

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 6-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Amendment received July 26, 2005 has been acknowledged.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6, 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cornett (5,216,612), in view of Nulman (6,456,894).

Regarding **claim 6**, Cornett discloses a system for supplying parts spare parts used for management and maintenance of a power plant to users, comprising: a server (1) connected to user terminals (see also column 10, lines 8-10, wherein "one or more personal computers [terminals] may also be used for one or more subsystems of the entire maintenance system) and manufacturer terminals (15A-15N); and a database (8) having accumulated information pertaining to parts for management and maintenance of the power plant (information of periods of parts delivered; see column 14, lines 52-58), including information on time period needed until parts are delivered (via the planning bill that is used to schedule the time-phased parts delivery); information of necessary quantity of parts (via the spares inventory management subsystem 6 is designed to operate with a spares inventory file 8 to manage ordering and inventory of spare parts) and information of degrees of significance of each of parts sorted in

significance degree as spare parts for employment in the power plant, to replace power plant parts whose loss of function in the power plant would result in stopping of the power plant (as illustrated via the maintenance schedule management subsystem reassigning corresponding maintenance times for an identified parts based upon hierarchical listing of parts in an electronically stored parts manual, so that lost production time for each production line is reduced. A revised schedule of planned production, based on the reassigned maintenance times, is then generated and communicated back to the master schedule file in the computer integrated manufacturing system. Accordingly, the plurality of production lines is controlled based upon the revised schedule of planned production to allow for maintenance activities while maximizing production).

Further, the server (1) is provided with a function of outputting parts information stored in said database (8) to said user terminals (see column 9, lines 34-55) by arraying for display the information of parts (via the parts manual file that displays multi-level parts listings); a function of renewing information of parts selected by the users to be selected parts information, in said parts information stored in said database (8); and a function of outputting said selected parts information to said manufacturer terminals (15); and **[claim 7]** said server (1) is connected to a terminal of a cooperating manufacturer (16A-16N).

However, Cornett fails to explicitly disclose a database accumulating information on unit price of parts, and information of subtotal price of each part.

Nulman discloses the concept of a power management system and a spare parts inventory and scheduling system. Further, Nulman disclose a computation environment, for example including a data processor, is employed to perform calculations to support data processing of SPC environment. Nulman also discloses the concept of minimizing the unit cost of semiconductor devices, which are produced. The novel spare parts inventory control and scheduling system is adapted for managing spare parts on a JIT (just-in-time) basis, i.e. parts are delivered by the supplier when they are expected to be needed, and no sooner. JIT inventory control generally results in reduced wafer production cost because spare parts purchases are made on an as needed basis, and the need for spare parts storage space is minimized.

From this teaching of Nulman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the maintenance system of Cornett et al. in include the spare parts inventory control taught by Nulman in order to minimize cost and/or reduce production cost.

**Claim 10** is rejected for reasons set forth in detail above for the combination of claims 6 and 7.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cornett in view of Nulman, and further in view of Johnson (5,712,989).

The Cornett and Nulman combination discloses all the claimed elements as set forth above for claims 6 and 7, but fails to explicitly disclose the use of one-way communication.

Johnson teaches that it is old and well known in the art to utilize one-way communication between business partners in a procurement system (see column 1, lines 33-50).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination with Johnson, because one-way communication allows more secure communication than two-way communication.

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cornett in view of Nulman, and further in view of Kou (6,363,365).

The Cornett and Nulman combination discloses all the claimed elements as set forth above for claims 6 and 7, but fails to explicitly disclose the use of limited access capability in a procurement system.

Kou teaches the use of limited access capability in a procurement system (see column 1, lines 33-36).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination with limited access capability as taught by Kou, because providing limited access capability increases information security and integrity.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 6-10 have been considered but are moot in view of the new ground(s) of rejection.

Spira et al. and Honjo et al. are cited as art of interest.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

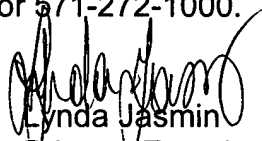
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynda Jasmin whose telephone number is (571) 272-6782. The examiner can normally be reached on Monday- Friday (9:30-6:00) with Thursday Telework.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Lynda Jasmin  
Primary Examiner  
Art Unit 3627

lj